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BLUETRITON BRANDS, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION – LOS ANGELES

BLUETRITON BRANDS, INC.,

Plaintiff,

v.

UNITED STATES FOREST SERVICE,
et al.,

Defendants.

Case No. 2:24-cv-09720-JFW-JPR

NOTICE OF RELATED CASES

(District Court Case No. 5:24-cv-01336)

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1 Plaintiff BlueTriton Brands, Inc., by and through counsel, in accordance with
2 Local Rule 83-1.3, files the instant Notice of Related Cases.

3 BlueTriton commenced this action on August 6, 2024, in the U.S. District Court
4 for the District of Columbia. As alleged in the Complaint, (ECF No. 1), BlueTriton
5 challenges the United States Forest Service’s July 26, 2024 Notice of Denial of
6 Application for Use and Occupancy of National Forest Lands; Termination of Special
7 Use Permit FCD728503 (the “Notice of Denial”). Under the Notice of Denial,
8 BlueTriton has been compelled to halt and modify its use of facilities in the San
9 Bernardino National Forest to access water over which the company and its
10 predecessors-in-interest have exercised beneficial use for more than a century.
11 BlueTriton contends that this official agency action violates the Administrative
12 Procedure Act, 5 U.S.C. § 701, *et seq.*

13 On the Forest Service’s motion, the U.S. District Court for the District of
14 Columbia transferred this action to this District on October 23, 2024. (ECF No. 35.)
15 In its transfer decision, the D.C. district court “agree[d]” with the Forest Service that
16 this District “has a pending case that is sufficiently related” and thus supported
17 transfer. (*Id.* at 6.) That case is *Save Our Forest Association v. Nobles* (“SOFA”),
18 5:24-cv-01336 (JGT-DTB) (C.D. Cal.), which involves a different group’s
19 administrative law challenge to the Forest Service’s earlier grants of special use
20 permits to BlueTriton that are similar to the permit denied and terminated by the
21 Notice of Denial. According to the D.C. district court, “[t]hese cases share relevant
22 facts (BlueTriton’s asserted water rights and the impact of the [State Water Resources
23 Control Board] investigation on the USFS’s permitting process), one key defendant
24 (USFS officer Nobles), and claims (whether the USFS’s permit decisions vis-à-vis
25 BlueTriton violated the APA).” (ECF No. 35 at 6.) The court further noted that “the
26 cases here actually seek contrasting relief such that handling them in the same district
27 may prevent conflicting decisions and promote overall judicial economy.” (*Id.* at 7.)
28

1 Under Local Rule 83-1.3, the parties must “promptly file a Notice of Related
2 Cases whenever two or more civil cases filed in this District (a) arise from the same or
3 a closely related transaction, happening, or event; (b) call for determination of the
4 same or substantially related or similar questions of law and fact; or (c) for other
5 reasons would entail substantial duplication of labor if heard by different judges.”
6 L.R. 83-1.3.1.

7 Based on the foregoing, and in recognition of the D.C. district court’s rationale
8 for transferring this action to this District, BlueTriton submits that this action and the
9 *SOFA* case call for determination of “substantially related or similar questions of law
10 and fact” and otherwise “would entail substantial duplication of labor if heard by
11 different judges.” L.R. 83-1.3.1(b), (c).

12
13 Dated: November 25, 2024

HUNTON ANDREWS KURTH LLP

14
15 By: /s/ Brandon Marvisi
16 Brandon Marvisi
17 Attorneys for Plaintiff
18 BLUETRITON BRANDS, INC.

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